



City of Jonesboro

900 West Monroe
Jonesboro, AR 72401

Meeting Minutes City Council

Tuesday, May 6, 2008

6:30 PM

Council Chambers

PUBLIC WORKS COMMITTEE MEETING AT 5:15 P.M.

1. Call to order by the Mayor at 6:30 P.M.

2. Pledge of Allegiance and Invocation

3. Roll Call by the City Clerk

Present 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent 1 - Judy Furr

4. Special Presentations

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilman Chris Moore, seconded by Councilman Jim Hargis, to Approve the Consent Agenda with the exception of RES-08:070 and RES-08:083. The motion PASSED with a unanimous vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

MIN-08:114 Minutes for the City Council meeting on April 15, 2008.

Attachments: [Minutes](#)

This item was PASSED on the consent agenda.

RES-08:028 A RESOLUTION TO Condemn property at 507 W Woodrow

Sponsors: Code Enforcement

Attachments: [507 W Woodrow.doc](#)
[100_2246.JPG](#)
[100_2247.JPG](#)
[100_2248.JPG](#)
[100_2249.JPG](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-064-2008

RES-08:029

A RESOLUTION TO Condemn property at 400 McAdams

Sponsors: Code Enforcement

Attachments: [400 McAdams.doc](#)
[100_0769.JPG](#)
[100_0768.JPG](#)
[100_0774.JPG](#)
[100_0775.JPG](#)

Mr. Larry Williams addressed the Council concerning the two properties he owns that are recommended for condemnation. He explained when he was served with a notice that the properties would be up for condemnation he purchased permits to bring the properties up to code. He questioned the period of time he is given in order to bring the property up to compliance. Mayor Formon noted the property will not be taken off the condemnation list just because Mr. Williams purchased permits. Code Enforcement Office Ronnie Shaver explained the permits allow Mr. Williams six months to make improvements, but their code only allows for 45 days. He further explained they will work with Mr. Williams as long as progress is being made.

This item was PASSED on the consent agenda.

Enactment No: R-EN-065-2008

RES-08:030

A RESOLUTION TO Condemn property at 1304 Logan

Sponsors: Code Enforcement

Attachments: [1304 Logan.doc](#)
[100_0786.JPG](#)
[100_0789.JPG](#)
[100_0788.JPG](#)
[100_0792.JPG](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-066-2008

RES-08:043

A RESOLUTION TO Condemn property at 4809 Mitchell

Sponsors: Code Enforcement

Attachments: [4809 Mitchell.doc](#)
[100_2162.JPG](#)
[100_2163.JPG](#)
[100_2164.JPG](#)
[100_2165.JPG](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-067-2008

RES-08:055

A RESOLUTION TO Condemn Property at 906 W Huntington

Sponsors: Code Enforcement

Attachments: [906 W Huntington.doc](#)
[100_1515.JPG](#)
[100_1520.JPG](#)
[100_1521.JPG](#)
[100_1525.JPG](#)

This item was PASSED on the consent agenda.

Enactment No: R-EN-068-2008

RES-08:069

A RESOLUTION TO REQUEST FREE UTILITIES AT CRAIGHEAD FOREST PARK CAMPGROUND

Sponsors: Parks & Recreation

This item was PASSED on the consent agenda.

Enactment No: R-EN-069-2008

RES-08:070

A RESOLUTION TO CREATE A POOL AND WATER PARK TASK FORCE FOR THE PURPOSE OF STUDYING THE FEASIBILITY OF NEW AQUATIC FACILITIES

Sponsors: Parks & Recreation

Attachments: [Aquatic Center Committee](#)

Councilman Moore questioned whether the committee will also evaluate the water facilities at Craighead Forest. He noted there were swimming facilities for years but now there is no swimming. Mr. Tony Thomas explained that will be part of the study Councilman-Hunsaker will undertake. He further explained the committee itself is being formed just to help guide the process. Councilman Moore then questioned why there aren't swimming facilities at Craighead Forest. Mr. Thomas stated his understanding is there were issues with the water quality due to the geese. He added the issues came up prior to the improvements that have been made at Craighead Forest, so now they can consider swimming at Craighead Forest again. Councilman Moore noted over the weekend there was an athletic event at Craighead Forest in which over 200 participants swam across the lake. He stated if the water is contaminated then they should restrict swimming in the lake. Mr. Thomas explained there were a number of issues, but that was before the improvements at the lake. Councilman McCall noted Ms. Ann Garner needs to be added to the resolution. Councilman McCall motioned, seconded by Councilman Perrin, to amend the resolution to include Ann Garner. All voted aye.

A motion was made by Councilman John Street, seconded by Councilwoman Ann Williams, that this Resolution be Passed. The motion PASSED with a unanimous vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: R-EN-072-2008

RES-08:075

RESOLUTION TO AUTHORIZE THE POLICE DEPARTMENT TO HIRE 5 ADDITIONAL POLICE OFFICERS BEYOND THE AUTHORIZED STRENGTH IN THE CURRENT 2008 BUDGET AND TO HIRE A CRIMINAL GANG INTELLIGENCE CIVILIAN ANALYST IN A TEMPORARY PART-TIME CAPACITY

Sponsors: Police Department

This item was PASSED on the consent agenda.

Enactment No: R-EN-070-2008

RES-08:081

A RESOLUTION REAPPOINTING MEMBERS TO THE CITY WATER AND LIGHT BOARD

This item was PASSED on the consent agenda.

Enactment No: R-EN-071-2008

RES-08:083

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO ENTER INTO A CONTRACT WITH ASSOCIATED ENGINEERING AND TESTING LLC TO PROVIDE ENGINEERING SERVICES RELATED TO THE MASTER STREET PLAN

Sponsors: Mayor's Office, Planning and Public Works

Attachments: [PW Contract](#)

Mayor Formon noted there the resolution needed to be amended to saying "a master street plan" in Section 1 in place of "land surveyor services related to the Race Street Improvements". Councilman Moore motioned, seconded by Councilman McCall, to amend the resolutions. All voted aye.

Councilman Frierson questioned whether the entire master street plan would be produced for \$45,000. Mayor Formon answered yes, it's a complete study as far as he understands. Councilman Street agreed, stating it entails everything. He added the average was around \$55,000 nationally. Councilman Frierson then discussed the process in which Associated Engineering was chosen to make the master street plan. He explained the selection committee chose Wilbur-Smith and Associates over Associated Engineering because they met more of the criteria. Mayor Formon noted it was never suggested to the Public Works Committee to go with Wilbur-Smith. Councilman Street agreed, stating MPO followed a different process. He then discussed the process the MPO followed and the decision to make the master street plan a city project instead of going through the MPO. He noted all three bidders made presentations to the Public Works Committee and were then ranked by the Public Works Committee. Councilman Frierson stated he would be surprised if the federal or state regulations kept the City from applying the same standards in judging the qualifications of the companies. Councilman Street explained they didn't. He added the committee members were given copies of the regulations and guidelines. Councilman Frierson questioned whether Associated Engineering has a background in planning services. Councilman Street stated he wasn't sure, but out of town companies use boiler plate templates for all of their clients that might not contain pertinent information to Jonesboro. He added knowledge of local companies is a big factor in selecting companies. He noted all of the out of town companies subcontracted with local companies for engineering work. Further discussion was held concerning the selection of Associated Engineering. Councilman Street stated

he has dealt with this kind of stuff before and believes it's best handled by a company with local knowledge. Councilman Frierson noted from January 1, 2006 to April 14, 2008, the City has paid Associated Engineering \$849,000. Councilman McCall questioned what the City received in return. Councilman Frierson explained he thinks Associated Engineering does fine work with design and engineering, but his questions dealt with just planning.

A motion was made by Councilman Chris Moore, seconded by Councilman Tim McCall, that this Resolution be Passed. The motion PASSED with the following vote:

Aye: 9 - Darrel Dover; Faye McCall; Ann Williams; Cecil Province; Jim Hargis; Chris Moore; John Street; Mitch Johnson and Tim McCall

Nay: 2 - Charles Frierson and Harold Perrin

Absent: 1 - Judy Furr

Enactment No: R-EN-073-2008

6. New Business

Ordinances on First Reading

ORD-08:015

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING PURCHASE OF A SINGLE UNIT GFI GENFARE SYSTEM FOR JETS.

Sponsors: JETS

Councilman Moore offered the ordinance for first reading by title only.

JETS Director Joel Gardner noted the money is in the budget. He then asked for the Council to waive second and third readings tonight. He added there is an emergency clause, but he would not object if the emergency clause wasn't passed.

Councilman Moore motioned, seconded by Councilwoman Williams, to suspend the rules and waive the second and third readings. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover; Faye McCall; Ann Williams; Charles Frierson; Cecil Province; Jim Hargis; Chris Moore; Harold Perrin; John Street; Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-017-2008

ORD-08:018

AN ORDINANCE TO AMEND CHAPTER 8.44 DOWNTOWN PARKING CODE BY ADDING VIOLATION AND A METHOD FOR OBTAINING CONSTRUCTION PARKING PERMITS

Sponsors: Police Department

Councilman Moore offered the ordinance for first reading by title only.

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive the second and third reading. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilwoman Ann Williams, that this matter be Passed . The motion PASSED by a unanimous vote.

Councilman Moore motioned, seconded by Councilman Perrin, to adopt the emergency clause. The motion PASSED by a unanimous vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-018-2008

ORD-08:020

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZE PURCHASE OF AVL UNITS FOR JETS.

Sponsors: JETS

Attachments: [Relitivity document001](#)

Councilman Dover offered the ordinance for first reading by title only.

Councilman Street motioned, seconded by Councilman Dover, to suspend the rules and waive the second and third readings. All voted aye.

A motion was made by Councilman Darrel Dover, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by a unanimous vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-019-2008

ORD-08:026

AN ORDINANCE TO AMEND THE 2008 ANNUAL BUDGET AND THE PAY PLAN FOR THE CITY OF JONESBORO TO UPGRADE THE POSITION OF HUMAN RESOURCES TECHNICAL IN THE HUMAN RESOURCES DEPARTMENT

Sponsors: Human Resources

Attachments: [HR Presentation for Council](#)

Councilwoman Williams offered the ordinance for first reading by title only.

During the Mayor's Report, Human Resources Director Gloria Roark asked the Council to consider waiving the second and third reading of the ordinance and to pass the emergency clause. She explained they would like to get the pay implemented before June when the workman's comp people visit the HR Department.

During City Council reports, Councilman Moore motioned, seconded by Councilman Frierson, to re-consider the ordinance. All voted aye.

Councilman Dover motioned, seconded by Councilman Perrin, to suspend the rules and waive second and third readings. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman

Harold Perrin, that this matter be Passed . The motion PASSED by a unanimous vote.

Councilman Moore motioned, seconded by Councilwoman Williams, to adopt the emergency clause. All voted aye.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-025-2008

7. Unfinished Business

Ordinances on Third Reading

ORD-08:025

AN ORDINANCE ACCEPTING CERTAIN LANDS ANNEXED TO THE CITY OF JONESBORO, ARKANSAS, BY ORDER OF THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS; ASSIGNING SAID ANNEXED TERRITORIES TO WARD 4; DECLARING THE ZONING FOR THE ANNEXED TRACT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Attachments: [Plat](#)
[MAPC Report](#)
[Order of Confirmation of Annexation](#)
[Order of Annexation](#)

A motion was made by Councilman Charles Frierson, seconded by Councilman Jim Hargis, that this matter be Passed . The motion PASSED by an unanimous vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-020-2008

Ordinances on Second Reading

ORD-08:027

AN ORDINANCE TO AMEND TITLE 14, KNOWN AS THE ZONING ORDINANCE PROVIDING FOR CHANGES IN ZONING BOUNDARIES FROM R-1 SINGLE FAMILY MEDIUM DENSITY TO C-3 GENERAL COMMERCIAL DISTRICT LOCATED ON WEST WASHINGTON SPUR AS REQUESTED BY HENRY FEILD

Attachments: [Plat A](#)
[Plat B](#)
[MAPC Report](#)

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive the third reading. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-021-2008

ORD-08:028

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONING DISTRICT BOUNDARIES FROM R-1 SINGLE FAMILY MEDIUM DENSITY DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT LOCATED ON JOHNSON AVENUE BETWEEN PARAGOULD DRIVE AND AIRPORT ROAD AS REQUESTED BY BURROW FAMILY TRUST

Attachments: [Plat](#)
[MAPC Report](#)

Councilman Moore motioned, seconded by Councilman Street, to suspend the rules and waive the third reading. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman John Street, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-022-2008

ORD-08:029

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 SINGLE FAMILY MEDIUM DENSITY TO C-3 LIMITED USE OVERLAY GENERAL COMMERCIAL DISTRICT LOCATED AT 2442 WEST MATTHEWS AVENUE AS REQUESTED BY DAVID RODGERS

Attachments: [Plat](#)
[MAPC Report](#)

Councilman Moore motioned, seconded by Councilman Perrin, to suspend the rules and waive the third reading. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Harold Perrin, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-023-2008

ORD-08:030

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONE DISTRICT BOUNDARIES FROM R-1 MULTI-FAMILY LOW DENSITY DISTRICT TO C-1 LIMITED USE OVERLAY DOWNTOWN CORE COMMERCIAL DISTRICT LOCATED ON EAST WASHINGTON AVENUE AS REQUESTED BY ST. BERNARD'S

Attachments: [Plat](#)
[MAPC Report](#)

Councilman Street motioned, seconded by Councilman Moore, to suspend the rules and waive third reading. All voted aye.

A motion was made by Councilman Chris Moore, seconded by Councilman Harold Perrin, that this matter be Passed . The motion PASSED by an unanimous vote

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

Enactment No: O-EN-024-2008

8. Mayor's Reports

Fire Chief Aaron Keller stated Fire Station #3 is 98% finished and they have put the first layer of asphalt in. He explained the company found some soft spots that need to be fixed. He added Station #7 will probably catch up with Station #3 if nothing happens with the asphalt. He stated it may be the first of June before they can move in if the weather stays dry.

Police Chief Michael Yates explained they are waiting on water and sewer to be hooked up into the animal shelter. He added they may come in under budget, so they will need to decide what to do with the extra funds.

Ms. Misty Micenhamer stated they have the an ordinance put together for the Finance Committee for a GIS Coordinator position. She explained after the ordinance is passed they will re-advertise the position. She further explained they are working to keep the database up to date, but they have come across some issues. She stated she would send an e-mail out to everyone detailing the issues.

9. City Council Reports

Councilman Moore questioned who will write the ballot initiative for the JETS system for the November ballot. City Attorney Phillip Crego explained he has met with Mr. Gardner and has another meeting with them this week to discuss it. He further explained it has to be the Election Commission this fall. He added they have already met with County Clerk Nancy Nelms. Councilman Moore asked for the measure to be sent to the Council for review within the next 30 days.

Councilwoman Williams stated Finance Director Jim Barksdale has a report he will be sending to the Finance Committee members tomorrow that will show how the City is doing with spending. Mr. Barksdale explained they will look at spending in the first quarter of the budget and look at each department. He added they will do that each quarter. Councilwoman Williams then stated she spoke with Ms. Neumann from Crowe-Chizek. Ms. Neumann indicated she will be completing the final audit report. Councilwoman Williams explained she would like some direction from the Council as to how they would like to move forward. Councilman Perrin suggested waiting for the final report from Crowe-Chizek and to finish up the work with Legislative Audit. He then suggested the Finance Committee needs to take a look at a full audit due to the change in administration.

Councilman McCall reminded everyone the Parks Department will hold a town hall meeting at the Forum on May 13 at 6:30 to discuss future development of a water

park and the concepts.

Councilman Street noted May 4 - May 10 is Municipal Clerks Week nationwide. He recognized City Clerk Donna Jackson and expressed his appreciation for her work.

10. Public Comment

Mr. Alec Farmer, a former City Council member, addressed the concerns expressed earlier by Councilman Frierson. He noted he was a Council member when Springbrook was purchased, which the employees had input on the purchase. He added another finalist was a local company, but the decision was made to go with the out of town company. He stated if the local firm would've been chosen, while it might have been an inferior product, the City may not be having the financial troubles it is having now. He also stated if it wasn't for local engineers Jonesboro may have had the same problems with flood maps that Pulaski County had in which hundreds of structures would've been put in the flood zone, which could've hurt development notably in the Industrial Park. Mr. Farmer explained approximately \$550,000 of the \$849,000 of expenditures to Associated Engineering was for one contract for the Clean Water Act, the work of which is required by the EPA. He discussed the contract and noted Associated Engineering has done 1 million linear feet of pipe at 55 cents a foot even though their proposal was for \$1.10 or \$1.05 a foot. He stated Associated Engineering has saved the City \$700,000 with the pipe inventory alone. Councilman Frierson stated his earlier comments were not a criticism of Associated Engineering; rather, he was showing how much the City believed in the company. Mr. Farmer explained he was just wanting to show the facts.

Mr. Robert Cook questioned who his Council members are. Mayor Formon stated Mr. Cook lives in Ward 3, so his Council members would be Councilman Perrin and Councilwoman Williams. Mr. Cook discussed the flooding problem at his home in Windsor Landing. Mayor Formon stated Public Works Director Erick Woodruff and City Engineer Craig Light have already looked at the problem. Councilman Moore explained they just got a report during the Public Works meeting that said the City would have to do an emergency annexation and spend \$3.5 million to build a 100-acre detention pond to fix the problem. He also added Mr. Cook was told at the meeting that the City does not do surveying, so any problems Mr. Cook has with his house being on someone else's property would have to be brought up in a suit against the developer and/or the surveying company. Mayor Formon asked for Mr. Woodruff to meet with Mr. Cook to discuss his concerns.

11. Adjournment.

A motion was made by Councilman Tim McCall, seconded by Councilman Mitch Johnson, that this meeting be Adjourned. The motion CARRIED by a Voice Vote.

Aye: 11 - Darrel Dover;Faye McCall;Ann Williams;Charles Frierson;Cecil Province;Jim Hargis;Chris Moore;Harold Perrin;John Street;Mitch Johnson and Tim McCall

Absent: 1 - Judy Furr

_____ Date: _____
Doug Formon, Mayor

_____ Date: _____
Donna Jackson, City Clerk